

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/704,499	11/07/2003	Ivan V. Mendenhall	AAI-14306

Pauley Petersen & Erickson  
 Suite 365  
 2800 West Higgins Road  
 Hoffman Estates, IL 60195

CONFIRMATION NO. 4068

## FORMALITIES LETTER



\*OC000000012970060\*

Date Mailed: 06/17/2004

## NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below **and a newly executed oath or declaration covering the items must** be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)). Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- o The specification is missing.
- o The specification does not include at least one claim.  
*A complete specification as prescribed by 35 U.S.C. 112 is required.*
- o The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*
- o The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

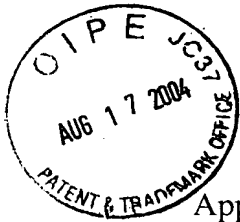
*A copy of this notice MUST be returned with the reply.*

A handwritten signature in black ink, appearing to read "A. Van", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ivan V. MENDENHALL  
Robert D. TAYLOR

Serial No.: 10/704,499

Filing Date: 07 November 2003

Title: BURN RATE ENHANCEMENT VIA  
METAL AMINOTETRAZOLE  
HYDROXIDES

Express Mail No.: EV372472277US

Date of Deposit: 17 August 2004

RESPONSE TO NOTICE OF  
INCOMPLETE NONPROVISIONAL APPLICATION

**Mail Stop Missing Parts**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to a "NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION", dated as mailed on 17 June 2004, for the above-identified patent application and is being filed concurrently with a PETITION TO ESTABLISH PRIOR RECEIPT IN THE P.T.O. OF ITEM(S) CONSIDERED AS OMITTED/MISSING BY THE P.T.O. - RESPONSE TO "NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION" whereby it is asserted that all items necessary for a filing date were properly originally submitted to the United

Serial No.: 10/704,499

State Patent and Trademark Office in a United States Postal Service Express Mail package (Express Mail Post Office to Addressee No. EV413564430US) deposited on 07 November 2003.

In the event that the PETITION TO ESTABLISH PRIOR RECEIPT IN THE P.T.O. OF ITEM(S) CONSIDERED AS OMITTED/MISSING BY THE P.T.O. - RESPONSE TO "NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION" does not result in a decision by the United State Patent and Trademark Office that the alleged omitted/missing items in issue were indeed received by the United State Patent and Trademark Office on the original filing date for this application, Applicants have enclosed a copy of the following documents that were originally submitted to the United State Patent and Trademark Office in the above-referenced United States Postal Service Express Mail package (Express Mail Post Office to Addressee No. EV413564430US) on 07 November 2003:

- Twenty-two (22) pages of specification, one (1) cover sheet, seven (7) pages of claims (Claims 1-33), one (1) page of Abstract, and one (1) sheet of drawings (one figure) and
- Executed combined Oath or Declaration, Power of Attorney and Petition, dated 07 November 2003 (2 pages)

Further, Applicants also herewith enclose a copy of the following document:

Serial No.: 10/704,499

- Executed combined Oath or Declaration, Power of Attorney and Petition, dated 06 August 2004 (3 pages), identifying the subject application by the application date and filing date identified on the Notice of Incomplete Nonprovisional Application

While no fee is believed due as a result of this submission, if it is determined that a fee is properly due as a result of this communication, the Commissioner is hereby authorized to charge payment of such fees or credit any overpayment, associated with this communication, to Deposit Account 19-3550.

Applicants respectfully request the withdrawal of the Notice of Incomplete Nonprovisional Application, dated as mailed on 17 June 2004.

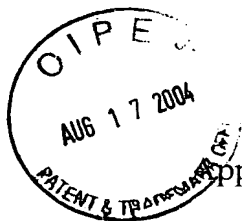
Should there be any questions regarding the foregoing, the United States Patent and Trademark Office is kindly requested to contact the undersigned, preferably by telephone, in an effort to expedite examination of the application.

Respectfully submitted,



Nick C. Kottis  
Registration No. 31,974

Pauley Petersen & Erickson  
2800 West Higgins Road; Suite 365  
Hoffman Estates, Illinois 60195  
TEL (847) 490-1400 FAX (847) 490-1403



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ivan V. MENDENHALL  
Robert D. TAYLOR

Serial No.: 10/704,499

Filing Date: 07 November 2003

Title: BURN RATE ENHANCEMENT VIA  
METAL AMINOTETRAZOLE  
HYDROXIDES

Express Mail No.: EV372472277US

Date of Deposit: 17 August 2004

CERTIFICATE OF MAILING BY EXPRESS MAIL

**Mail Stop Missing Parts**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that the following documents are being deposited with the United States Postal Service as Express Mail Post Office to Addressee No. EV372472277US, on 17 August 2004, and is addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

- Response to Notice of Incomplete Nonprovisional Application  
(3 pages)

Express Mail No.: EV372472277US

- Twenty-two (22) pages of specification, one (1) cover sheet, seven (7) pages of claims (Claims 1-33), one (1) page of Abstract, and one (1) sheet of drawings (one figure) and
- Executed combined Oath or Declaration, Power of Attorney and Petition, dated 04 November 2003 (2 pages)
- Executed combined Oath or Declaration, Power of Attorney and Petition, dated 06 August 2004 (3 pages), identifying the subject application by the application date and filing date identified on the Notice of Incomplete Nonprovisional Application
- A copy of the Notice of Incomplete Nonprovisional Application
- Return Receipt Postcard

Respectfully submitted,



Nick C. Kottis  
Registration No. 31,974

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